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8 Attorneys for Defendant,  
9 DR. LAWRENCE P. RUDOLPH

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**  
12 **SOUTHERN DIVISION**

13  
14 SAFARI CLUB INTERNATIONAL, and  
15 JOHN WHIPPLE, an Individual,

16 Plaintiff,

17 v.  
18 DR. LAWRENCE P. RUDOLPH, and  
19 DOES 1 THROUGH 10 INCLUSIVE,

20 Defendants.

Case No.: 13-cv-01989 JVS (ANx)

**DEFENDANT'S NOTICE OF  
SPECIAL MOTION TO STRIKE  
PLAINTIFFS' VERIFIED FIRST  
AMENDED COMPLAINT [CAL.  
CODE CIV. PRO. § 425.16]**

21  
22 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 PLEASE TAKE NOTICE that on April 21, 2014 at 1:30 p.m., or as soon  
24 thereafter as the matter may be heard in Courtroom 10C of the above-entitled Court,  
25 Defendant Dr. Lawrence P. Rudolph, (the "Defendant" or "Dr. Rudolph") will move  
26 and hereby does move this Court for an order striking the Verified First Amended  
27 Complaint in this matter in its entirety, with prejudice and without leave to amend  
28 pursuant to California Code of Civil Procedure Section 425.16.

1       Defendant brings this Special Motion to Strike upon the grounds that Plaintiffs  
2 have filed a “strategic lawsuit against public participation” (SLAPP). The conduct  
3 Plaintiffs complain of concerns Defendant’s rights of free speech and, thus, is subject  
4 to California’s anti-SLAPP Statute. Cal. Civ. Proc. Code § 425.16. Section  
5 425.16(b)(1) requires that the Verified First Amended Complaint be stricken unless  
6 Plaintiffs demonstrate a probability of prevailing on their claims against Defendant.  
7 Plaintiffs cannot do so for myriad reasons, which are discussed at length in the  
8 accompanying Memorandum of Points and Authorities. In brief, Plaintiffs had no  
9 expectation of privacy in Plaintiff Whipple’s conversation with Defendant, and  
10 Defendant’s conduct was not highly offensive or objectively unreasonable.

11        This Motion is based upon this Notice of Motion and Motion, the Memorandum  
12      of Points and Authorities in support thereof, the supporting declaration of Dr.  
13      Lawrence P. Rudolph, oral argument as permitted by the Court, and any such other  
14      items that the Court deems appropriate.

## Conference of Counsel

16 This motion is made following the conference of counsel pursuant to L.R. 7-3  
17 which took place on March 10, 2014.

Respectfully submitted,

Dated: March 19, 2014

## DUANE MORRIS LLP

By: /s/ Patricia P. Hollenbeck  
Patricia P. Hollenbeck  
Jess R. Booth  
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Heather U. Guerena

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DR. LAWRENCE P. RUDOLPH